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10 Attorneys for Defendants
11 FEG ENTRETENIMIENTOS S.A.,
12 FEG, S.A.

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 MIRAGE ENTERTAINMENT, INC.,
16 a New York corporation, doing business
17 in California as N.Y. MIRAGE
18 ENTERTAINMENT, INC.,

19 Plaintiff,

20 v.

21 FEG ENTRETENIMIENTOS S.A., public
22 limited company; FEG S.A., public limited
23 company; and DOES 1 through 10, inclusive,

24 Defendants.

Case No.

(Los Angeles Superior Court Case
No. BC646346)

**DEFENDANTS' NOTICE OF
REMOVAL OF ACTION
UNDER 28 U.S.C. §1441(a)**

MCKOOL SMITH HENNIGAN, P.C.
LOS ANGELES, CA

1 TO THE CLERK OF THE ABOVE ENTITLED COURT:

2 PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. § 1441, Defendant
 3 FEG ENTRETENIMIENTOS S.A. ("FEGE"), and FEG, S.A. ("FEG") hereby remove
 4 this action from the Superior Court of the State of California, County of Los Angeles,
 5 to this Court, on the grounds that this Court has original jurisdiction over this action
 6 under 28 U.S.C. § 1332(a)(2) because it is a civil action between citizens of a state
 7 and citizens or subjects of a foreign state, and the matter in controversy exceeds the
 8 sum or value of \$75,000, exclusive of interest and costs.

9 1. On January 10, 2017, an action was commenced in the Superior Court of
 10 the State of California, County of Los Angeles, entitled *Mirage Entertainment, Inc., a*
 11 *New York corporation doing business in California as N.Y. Mirage Entertainment,*
 12 *Inc. v. FEG Entretenimientos S.A., public limited company; FEG S.A., public limited*
 13 *company; and DOES 1 through 10, inclusive*, as Case Number BC646346. True and
 14 correct copies of the complaint (the "Complaint") and summons in that action are
 15 attached as Exhibits A and B, respectively to the Declaration of Robert E. Allen in
 16 support of this notice ("Allen Decl.").

17 2. On February 24, 2017, the Complaint was amended, and the amended
 18 Complaint (the "Amended Complaint") was filed. A true and correct copy of the
 19 Amended Complaint is attached as Exhibit C to the Allen Decl.

20 3. On October 16, 2017, the Amended Complaint was further amended, and
 21 the Second Amended Complaint (the "SAC") was filed and is the operative complaint
 22 in this action. A true and correct copy of the SAC is attached as Exhibit D to the
 23 Allen Decl.

24 4. Neither the Complaint, the Amended Complaint or the SAC filed by
 25 Mirage Entertainment, Inc. ("Mirage") was properly served, and no proofs of service
 26 have been filed in this case. A true and correct copy of the docket sheet in the Los
 27 Angeles Superior Court action is attached as Exhibit E to the Allen Decl.

Ground For Removal

5. The SAC alleges breach of contract damages against FEGE and FEG of at least \$575,000.00 and \$600,000, respectively.

6. The SAC alleges that Mirage is a New York corporation doing business in California as N.Y. Mirage Entertainment, Inc.

7. FEGE is an Argentinian public liability company. FEGE is not, and was not at any relevant time, a citizen or resident of the State of California.

8. FEG is a Chilean public liability company. FEG is not, and was not at any relevant time, a citizen or resident of the State of California.

9. The SAC also names Defendants Does 1-10. Pursuant to 28 U.S.C. §1441(a), the citizenship of these defendants is disregarded.

10. This Notice of Removal is being filed within one (1) year of the commencement of the action, and within thirty (30) days of receipt by Defendant FEG. This Notice of removal is timely filed under 28 U.S.C. §§1446(b)(1), (b)(3).

11. Pursuant to 28 U.S.C. §1446((b)(2)(C), Defendant FEGE consents to this removal by Defendant FEG.

12. Removal to this Court is proper as the Superior Court of the State of California, County of Los Angeles, where this action was originally filed, is located within this district. 28 U.S.C. § 1441(a).

13. Counsel for FEGE and FEG certifies that it will file a copy of this Notice of Removal with the Clerk of the Superior Court of the State of California, County of Los Angeles, and give notice of same to counsel for Mirage.

DATED: December 12, 2017

Respectfully submitted,

MCKOOL SMITH HENNIGAN, P.C.

By: /s/ Kathryn Lee Boyd
Kathryn Lee Boyd

Attorneys For Defendants
FEG ENTRETENIMIENTOS S.A. and
FEG, S.A.